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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA**

PEBBLE LIMITED PARTNERSHIP,

Plaintiff,

v.

ENVIRONMENTAL PROTECTION
AGENCY and GINA MCCARTHY,

Defendants.

Case No. 3:14-cv-00171-HRH

**JOINT MOTION TO AMEND
PROTECTIVE ORDER**

1. Plaintiff and Defendants respectfully move for a second amendment to the Protective Order entered in this case.¹ The parties have included paragraph 5 in this Second Amended Protective Order to address the designation of confidential material during depositions. This paragraph was included in the original Protective Order entered August 7, 2015,² but was inadvertently excluded in the First Amended Protective Order. The parties became aware of this omission during the course of depositions.

2. Any material designated as Confidential Information under previous protective orders should be construed as having the same designation under this Second Amended Protective Order. Such previously designated Confidential Information shall be treated in accordance with the terms and provisions of this Second Amended Protective Order, as though it had been designated as Confidential Information pursuant to this Protective Order. Individuals who have signed the Acknowledgement and Agreement to be Bound contained in previous Protective Orders shall continue to be bound by the provisions of those Protective Orders.

3. Attached as Exhibit 1 is a redline of the current First Amended Protective Order, showing the amendments that the parties jointly propose. Attached as Exhibit 2 is the Second Amended Protective Order (with redlines accepted), also including Attachment A.

Conclusion

The parties respectfully request that the Court enter the attached proposed Second Amended Protective Order.

¹ Dkt. 205.

² Dkt. 143.

May 12, 2016

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CERTIFICATE OF SERVICE

I certify that on May 12, 2016, I caused to be filed electronically the foregoing JOINT MOTION TO AMEND PROTECTIVE ORDER with the Clerk of Court using the Court's CM/ECF system, which sends a Notice of Electronic Filing to counsel of record.

/s/ Brad P. Rosenberg
BRAD P. ROSENBERG